

**UNITED STATES DISTRICT COURT**

**DISTRICT OF ARIZONA  
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TUCSON, ARIZONA 85701-5010

November 20, 2009

Clerk of Court  
U.S. District Court  
402 E. State Street  
Trenton, NJ 08608

RE: USA v. Larry Berke, Dary Berke and Lisa Goetz  
Your case number: CR09-857  
Arizona case number: 09-06513M-et al.

Dear Clerk of the Court:

The above charge originated in your district. The defendants have appeared before Magistrate Judge David K. Duncan in Phoenix, Arizona. The following action has been taken.

- ☒ THE DEFENDANTS HAS BEEN ORDERED TO APPEAR IN THE CHARGING DISTRICT ON: 12/14/09 at 11:00 am in Ctrm. #1-Post Office Bldg

You may access electronically filed documents in this case at our ECF/PACER web address <http://ecf.azd.uscourts.gov>. Any documents not available electronically are enclosed in paper format along with a copy of the docket sheet and either the Order to Appear or the Commitment to Another District.

Please acknowledge receipt on the enclosed copy of this letter and return to the Phoenix office.

Sincerely,

RICHARD H. WEARE,  
CLERK OF COURT/DISTRICT COURT EXECUTIVE

By: /s/

Phylis Durbin  
Deputy Clerk

Enclosures

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*The staff of the Clerk's Office ensures the effective, efficient and professional delivery of clerical and administrative services, while fostering a customer-friendly and employee-friendly environment.*

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

**UNITED STATES DISTRICT COURT**

for the

District of Arizona

United States of America

v.

Larry Berke

*Defendant*

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Case No. 09-06513M-001

Charging District: New Jersey

Charging District's Case No. CR09-857 (JAP)

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Courtroom No.: 1 (Post Office Bldg.)

Date and Time: 12/14/2009 at 11:00 AM

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: Nov 19, 2009

*Judge's signature*David K. Duncan, United States Magistrate Judge*Printed name and title*

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

**UNITED STATES DISTRICT COURT**

for the

District of Arizona

United States of America

v.

Dary Berke

*Defendant*

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)

Case No. 09-06513M-002

Charging District: New Jersey

Charging District's Case No. CR09-857 (JAP)

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: Clarkson S. Fisher Building & U.S. Courthouse 402 East State Street Trenton, NJ 08608	Courtroom No.: 1 (Post Office Bldg.) Date and Time: 12/14/2009 at 11:00 AM
--	---

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: Nov 19, 2009


*Judge's signature*

David K. Duncan, United States Magistrate Judge

*Printed name and title*

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

**UNITED STATES DISTRICT COURT**

for the

District of Arizona

United States of America

v.

Lisa Goetz

*Defendant*

Case No. 09-06513M-003

Charging District: New Jersey

Charging District's Case No. CR09-857 (JAP)

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Courtroom No.: 1 (Post Office Bldg.)

Date and Time: 12/14/2009 at 11:00 AM

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: Nov 19, 2009

*Judge's signature*

David K. Duncan, United States Magistrate Judge

*Printed name and title*

CLOSED

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CRIMINAL DOCKET FOR CASE #: 2:09-mj-06513-DKD All  
Defendants  
Internal Use Only**

Case title: USA v. Berke et al

Date Filed: 11/19/2009

Other court case number: CR 09-857-JAP District  
of New Jersey

Date Terminated: 11/20/2009

Assigned to: Magistrate Judge  
David K Duncan

**Defendant (1)**

**Larry Berke**

*TERMINATED: 11/20/2009*

represented by **George F Klink**

Law Office of George F Klink

45 W Jefferson St

Ste 810

Phoenix, AZ 85003-2328

602-253-3889

Fax: 602-253-2151

Email:

georgeklink@qwestoffice.net

**ATTORNEY TO BE NOTICED**

*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level  
(Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

18:371; 287, 1349, 1341, 982;  
Conspiracy to Defraud Govt-  
Present and Submit False Claims,  
Mail Fraud, Forfeiture

**Disposition**

Assigned to: Magistrate Judge  
David K Duncan

**Defendant (2)**

**Dary Berke**  
*TERMINATED: 11/20/2009*

represented by **Diego Rodriguez**  
Rodriguez Law Office PLLC  
330 N 2nd Ave  
Phoenix, AZ 85003  
602-380-3849  
Fax: 602-252-3436  
Email: Diego@RLOPLLC.com  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level**  
**(Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

18:371; 287, 1349, 1341, 982;  
Conspiracy to Defraud Govt-  
Present and Submit False Claims,  
Mail Fraud, Forfeiture

**Disposition**

Assigned to: Magistrate Judge  
David K Duncan

**Defendant (3)**

**Lisa Goetz**  
*TERMINATED: 11/20/2009*

represented by **John Conroy Rock**  
Law Offices of John Rock PC  
45 W Jefferson St  
Ste 201  
Phoenix, AZ 85003  
602-694-5070  
Fax: 602-462-1500  
Email: johnrock@azbar.org  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level**  
**(Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

18:371; 287, 1349, 1341, 982;  
Conspiracy to Defraud Govt-






**Disposition**

Present and Submit False Claims,  
Mail Fraud, Forfeiture

**Plaintiff**

**USA**

represented by **Darcy A Cerow**  
US Attorney's Office  
2 Renaissance Sq  
40 N Central Ave  
Ste 1200  
Phoenix, AZ 85004-4408  
602-514-7500  
Fax: 602-364-7929  
Email:  
Darcy.Cerow@USDOJ.GOV  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/19/2009	 <u>1</u>	Arrest (warrant issued other district) of Larry Berke, Dary Berke, Lisa Goetz (PKD, ) (Entered: 11/19/2009)
11/19/2009	 <u>2</u>	Minute Entry for proceedings held before Magistrate Judge David K Duncan: Initial Appearance in Rule 5(c)(3) Proceedings and Appointment of Counsel Hearing as to Larry Berke held on 11/19/2009. Appointing George Klink with Appointment Type: CJA. FINANCIAL AFFIDAVIT TAKEN and SEALED. Identity Hearing waived. Detention Hearing submitted. Defendant ordered released O/R with conditions. Preliminary Hearing reserved for prosecuting district. ASL INTERPRETER REQUIRED. (Court Reporter COURTSMAART). (JIR) (Entered: 11/20/2009)
11/19/2009	 <u>3</u>	(Court only) CJA 23 Financial Affidavit by Larry Berke (MAP) (Entered: 11/20/2009)
11/19/2009	 <u>4</u>	WAIVER of Rule 5 Hearings by Larry Berke. Defendant waives the right have an identity hearing. (JIR) (Entered: 11/20/2009)
11/19/2009	 <u>5</u>	ORDER Setting Conditions of Release as to Larry Berke (1). Defendant released O/R with conditions. Signed by Magistrate Judge David K Duncan on 11/19/09. (JIR) (Entered: 11/20/2009)



11/19/2009	● <u>6</u>	Minute Entry for proceedings held before Magistrate Judge David K Duncan: Initial Appearance in Rule 5(c)(3) Proceedings and Appointment of Counsel as to Dary Berke held on 11/19/2009. Appointing Diego Rodriguez with Appointment Type: CJA. FINANCIAL AFFIDAVIT TAKEN. Identity Hearing waived. Detention Hearing submitted. Defendant ordered released O/R with conditions. Preliminary Hearing reserved for prosecuting district. ASL INTERPRETER REQUIRED. (Court Reporter COURTSMAART). (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>7</u>	(Court only) CJA 23 Financial Affidavit by Dary Berke (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>8</u>	WAIVER of Rule 5 Hearings by Dary Berke. Defendant waives the right to have an identity hearing. (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>9</u>	ORDER Setting Conditions of Release as to Dary Berke (2). Defendant ordered released O/R with conditions. Signed by Magistrate Judge David K Duncan on 11/19/09. (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>10</u>	Minute Entry for proceedings held before Magistrate Judge David K Duncan: Initial Appearance in Rule 5(c)(3) Proceedings and Appointment of Counsel Hearing as to Lisa Goetz held on 11/19/2009. Appointing John Rock with Appointment Type: CJA. FINANCIAL AFFIDAVIT TAKEN. Identity Hearing waived. Detention Hearing submitted. Defendant ordered released O/R with conditions. Preliminary Hearing reserved for prosecuting district. ASL INTERPRETER REQUIRED. (Court Reporter COURTSMAART). (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>11</u>	(Court only) CJA 23 Financial Affidavit by Lisa Goetz (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>12</u>	WAIVER of Rule 5 Hearings by Lisa Goetz. Defendant waives the right to have an identity hearing. (JIR) (Entered: 11/20/2009)
11/19/2009	● <u>13</u>	ORDER Setting Conditions of Release as to Lisa Goetz (3). Defendant released O/R with conditions. Signed by Magistrate Judge David K Duncan on 11/19/09. (JIR) (Entered: 11/20/2009)
11/20/2009	● <u>14</u>	ORDER TO APPEAR IN PROSECUTING DISTRICT as to Larry Berke. Defendant shall appear in Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ

		08608 on 12/14/09 at 11:00 AM. Signed by Magistrate Judge David K Duncan on 11/19/09. (JIR) (Entered: 11/20/2009)
11/20/2009	● 15	ORDER TO APPEAR IN PROSECUTING DISTRICT as to Dary Berke. Defendant shall appear in Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608 on 12/14/09 at 11:00 AM. Signed by Magistrate Judge David K Duncan on 11/19/09.(JIR) (Entered: 11/20/2009)
11/20/2009	●	(Court only) ***Terminated defendant Dary Berke, pending deadlines, motions and excludables re 15 Order. (JIR) (Entered: 11/20/2009)
11/20/2009	● 16	ORDER TO APPEAR IN PROSECUTING DISTRICT as to Lisa Goetz. Defendant shall appear in Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608 on 12/14/09 at 11:00 AM. Signed by Magistrate Judge David K Duncan on 11/19/09. (JIR) (Entered: 11/20/2009)